



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

20 SEP 2007

Kenneth A. Clark
RANKIN, HILL, PORTER & CLARK, LLP
925 EUCLID AVENUE, SUITE 700
CLEVELAND OH 44115-1405

In re Application of:
SUSUMU, Yoshida, et al.
U.S. Application No.: 10/540,041
PCT No.: PCT/JP2003/16953
Int. Filing Date: 26 December 2003
Priority Date: 27 December 2002
Attorney Docket No.: IWI-16045
For: OIL-IN WATER TYPE
EMULSION COSMETIC
COMPOSITION

DECISION REGARDING
RENEWED SUBMISSION UNDER
37 CFR 1.42

This communication is issued in response to the "Response To Decision On Renewed Papers Filed Under 37 CFR 1.42" filed on 16 July 2007, treated herein as a renewed submission under 37 CFR 1.42. No petition fee is required.

BACKGROUND

The procedural background for this application was set forth in the previous decisions mailed by this Office on 16 May 2006, 13 March 2007, and 22 May 2007. These decisions had refused acceptance of applicants' previously filed submissions under 37 CFR 1.42 for failure to satisfy the requirements of 37 CFR 1.42 and 37 CFR 1.497.

On 16 July 2007, applicants' responded to the most recent decision herein by filing the "Response To Decision On Renewed Papers Filed Under 37 CFR 1.42" considered herein.

DISCUSSION

The 16 July 2007 submission includes a revised declaration (including supplemental sheet, Form PTO/SB/2LR) that is executed by the three surviving inventors and on behalf of the deceased inventor, Tadashi NAKAMURA, by his "Widow, Sole Heir, and Legal Representative" Keiko NAKAMURA. The declaration includes the information required under 37 CFR 1.42 and 1.497(b)(2). Accordingly, acceptance under 37 CFR 1.42 and 1.497 of the declaration materials filed 16 July 2007 is appropriate.

CONCLUSION

Applicants' renewed request for status under 37 CFR 1.42 with respect to deceased inventor Tadashi NAKAMURA is **GRANTED**.

This application is being returned to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 16 July 2007.



Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296
Facsimile: (571) 273-0459